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6 Attorneys for Defendant

7 IN THE UNITED STATES DISTRICT COURT
8
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 STACY SMITH,

11 Plaintiff,

12 v.

13 JO ANNE B. BARNHART,
14 Commissioner of
15 Social Security,

16 Defendant.

17
18 CASE NO. 2:04-CV-01915-KJM

19
20 STIPULATION AND ORDER
SETTLING ATTORNEY'S FEES
PURSUANT TO THE EQUAL
ACCESS TO JUSTICE ACT

21 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
22 subject to the approval of the Court, that counsel for Plaintiff be awarded attorney's fees under the
23 Equal Access to Justice Act (EAJA) in the amount of TWO THOUSAND NINE HUNDRED
24 TWENTY FIVE AND 00/100 DOLLARS (\$2,925.00). This amount represents compensation for
25 legal services rendered on behalf of Plaintiff by Plaintiff's attorney in accordance with 28 U.S.C. §
26 2412(d).

27 This stipulation constitutes a compromise settlement of Plaintiff's request for all fees and costs
under the EAJA, and does not constitute an admission of liability on the part of Defendant under the

1 EAJA. Payment of the TWO THOUSAND NINE HUNDRED TWENTY FIVE AND 00/100
2 DOLLARS (\$2,925.00) in fees shall constitute a complete release from and bar to any and all claims
3 Plaintiff may have relating to EAJA fees and costs in connection with this action.
4

5 The parties further stipulate that counsel for Plaintiff will provide a facsimile of this
6 stipulation bearing counsel's signature for retention in Defendant's case file, and hereby authorizes
7 counsel for Defendant to file this document in PDF format under the latter's Electronic Case Filing
8 password, pursuant to Local Rule 7-131.
9

10 DATED: August 15, 2005

/s/ David G. Lee

DAVID G. LEE
Attorney at Law

12 Attorney for Plaintiff
13

14 DATED: August 16, 2005

15 McGREGOR W. SCOTT
United States Attorney
16

By: /s/ Bobbie J. Montoya

BOBBIE J. MONTOYA
Assistant U. S. Attorney

19 Attorneys for Defendant
20

OF COUNSEL

21 LUCILLE GONZALES MEIS
22 Chief Counsel, Region IX

23 JOHN CUSKER
24 Assistant Regional Counsel

25 U. S. Social Security Administration
26

27 _____
28 Re: STACY SMITH v. JO ANNE B. BARNHART, Case No. 2:04-CV-01915-KJM, Stipulation and Order Settling Attorney's
Fees Pursuant to the Equal Access to Justice Act

oOo

ORDER

**Upon stipulation of the parties, plaintiff in CASE NO. 2:04-CV-01915-KJM, STACY
SMITH v. Jo Anne B. Barnhart, is hereby awarded attorney fees in the amount of \$2,925.00,
pursuant to the Equal Access to Justice Act.**

APPROVED AND SO ORDERED.

DATED: August 17, 2005.

Amelia
UNITED STATES MAGISTRATE JUDGE